

FISCAL NOTE

HB 685 – SB 1682

March 5, 2007

SUMMARY OF BILL: Requires all buses purchased after July 1, 2007 for the purpose of transporting students to be equipped with safety belts or other restraint systems approved by the federal government for the driver and all passengers. Requires each passenger on a school bus equipped with safety belts to wear such belt at all times while the bus is in operation. Gives an exemption from liability in an action for personal injury caused solely by a passenger's nonuse of a safety belt or restraint system.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$13,800,000 Recurring FY08-09

**Increase Local Govt. Expenditures* - \$27,600,000 One-Time FY07-08
\$13,800,000 Recurring FY08-09**

Assumptions:

- Any new school buses purchased after July 1, 2007, must be equipped with safety belts.
- Currently, the majority of buses purchased are 78-passenger buses. Under the provisions of this bill, these same styled buses would only be able to accommodate 59 passengers (a 24% decrease in seating capacity). An additional 24 buses per 100 would have to be purchased just to accommodate the same number of passengers.
- Due to an increase in the number of additional buses purchased, additional bus drivers, mechanics, benefits, fuel, tires, insurance, etc., would also be needed.
- Estimated cost of a 78-passenger bus with safety belts is \$88,500 (capacity of 59 passengers). The cost of the same styled bus without safety belts in FY07 is estimated to be \$77,500, or a difference of \$11,000.
- Based on a 10-year average, approximately 600 buses are retired from service and replaced with new buses each year.
- First year costs to local governments include: The differential cost to retire 600 buses and replace with new buses with seat belts at a cost of \$11,000 each totaling \$6,600,000; the cost to purchase 144 new buses to replace the seating capacity differential at a cost of \$88,500 per bus

totaling \$12,744,000; and maintenance and operation cost of \$8,290,000. Total first year costs to local governments are estimated to be \$27,600,000.

- Second year costs are estimated to be \$27,600,000 shared equally between state and local governments. State share would be \$13,800,000 and local share would be \$13,800,000.
- This estimate does not include the increase in miles transported due to the additional buses, which also affects the BEP formula; nor does it include the cost of building larger bus garages to accommodate the increased number of buses.
- An increase in expenditures by local school systems for transportation results in an estimated increase in state funds generated by the BEP formula for transportation in subsequent years.
- In summary:

First year local cost:

\$ 6,600,000	(600 x \$11,000 differential)
\$ 12,744,000	(144 add'l buses x \$88,500)
<u>\$ 8,290,000</u>	maintenance & operation
\$ 27,634,000	Total first year

Second year cost:

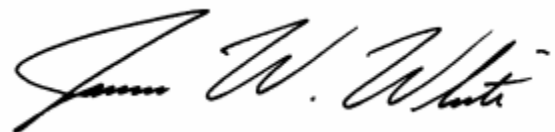
\$ 6,600,000	(600 x \$11,000 differential)
\$ 12,744,000	(144 add'l buses x \$88,500)
<u>\$ 8,290,000</u>	Maintenance & operation
\$ 27,634,000	Total second year

\$ 13,800,000	50% State Share
\$ 13,800,000	50% Local Share

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director